



CITY OF KILLEEN
OFFICE OF THE CITY ATTORNEY

August 05, 2019

Office of the Attorney General
Open Records Division
P.O. Box 12548
Austin, TX 78711-2548

**RE: Public Information Act
Request for Attorney General Ruling #: W029356**

Dear Sir / Madam:

On July 12, 2019 the City of Killeen received a written request from MuckRock News on behalf of Samuel Sinyangwe, asking for the following eight (8) categories of information:

1. The total number of police use of force incidents, broken down by type of force used, between 2013-2018 (separated by year).
2. The total number of people that police used force against, between 2013-2018 (separated by year).
3. A copy of all complaints reported by civilians against police between 2013-2018.
4. A copy of any documents indicating whether the civilian complaints identified in request #3 were sustained.
5. The policy manual of the police department.
6. The current union contract between the city and any police unions or police associations.
7. All records regarding police shootings (including fatal police shootings, non-fatal police shootings and police shootings at a civilian that missed) between 2013-2018, including incident-level information specifying the date of each incident, race and gender of all subjects involved, what weapon if any they were armed with, any injuries or deaths investigations found the incidents to be justified under police department policy and any disciplinary actions taken against the officers as a result of the incident.
8. All records regarding civilian deaths or serious injuries resulting from police use of force between 2013-2018, including incident-level information specifying the date of each incident, race and gender of all subjects involved, what weapon if any they were armed with, any injuries or deaths resulting from the incident and the names of all officers involved.

A copy of the request is enclosed. We have assigned this request ID number **W029356**; please provide this number with your response.

On July 19, 2019, city staff emailed a request for clarification to requestor asking for requestor to clarify the following:

1. Please define the term "use of force".
 - a. do you mean the number of people who claimed injury; or
 - b. do you mean any physical contact with an officer (officer to civilian).
2. Are you requesting information on dogs as well?

On Saturday, July 20, 2019 at 3:31 p.m., requestor responded to the request for clarification, via email, and stated the following:

"Hi, here are the answers to your questions:


1. I mean any physical force used by an officer against a person, whether or not it causes injury.
 2. I don't want any info on force used against dogs, only people.
- Sam"

As the request was submitted outside of the City of Killeen's business hours, city staff did not receive the clarification until Monday, July 22, 2019 at 8:00 a.m.

The City of Killeen seeks to withhold the information from public disclosure as it considers it to be protected by one or more of the exceptions found within sections 552.101 through 552.154 of the Texas Government Code.

The City of Killeen further requests an attorney general decision on this matter, and it will comply with all requirements of Texas Government Code Section 552.301(e) within 15 business days after receipt of the request. Please contact me with any questions at (254) 501-6342 or by fax at (254) 634-8399.

Respectfully


Linda Pemberton
Paralegal

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